



Appeal Decision

Site visit made on 2 June 2020 by S Watson BA(Hons) MSc

Decision by Mike Worden BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 26 June 2020

Appeal Ref: APP/Q4625/Z/20/3247370
18 Station Road, Solihull B91 3SB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Andrew Foster against the decision of Solihull Metropolitan Borough Council.
 - The application Ref PL/2019/02923/ADV, dated 18 November 2019, was refused by notice dated 10 January 2020.
 - The advertisement proposed is 1 x 6 sheet wall mounted internally illuminated advertising display unit.
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Decision

1. The appeal is allowed, and express consent is granted for the display of 1 x 6 sheet wall mounted internally illuminated advertising display unit as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Appeal Procedure

2. The site visit was carried out by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this case is the effect of the proposal on the visual amenity of the street scene and surrounding heritage assets.

Reasons for the Recommendation

4. The Council has drawn my attention to the policies and guidelines it considered to be relevant to this appeal and I have taken them into account as a material consideration where relevant. However, powers under the Regulations¹ to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach. In the case of this appeal, there are no public safety concerns. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

5. The appeal site is located within the commercial centre of the town and at the edge of the Solihull Conservation Area (SCA). The SCA covers the commercial centre of Solihull, to the east of the appeal site, and its significance appears to generally derive from the age of the buildings and the extent to which their original architectural features are relatively intact, especially on the upper floors. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention should be paid to the desirability of "preserving or enhancing the character or appearance" of a Conservation Area.
6. The site is in a prominent location facing west on to a large pedestrian area serving a number of retail uses, pubs and eateries. It appears that there is a mixture of day and night-time economy uses. The area also appears to be a public transport hub with a number of bus shelters and a taxi rank. Signage is common within the street scene but is largely restricted to fascia and projecting signs, relevant to their respective unit. The exception to this are those adverts serving the bus shelters which are for varied purposes. The proposed advertisement would be at ground floor level on the side of a retail unit, underneath a fascia sign advertising the unit.
7. The proposal is of a simple design and, although internally illuminated, it would not appear as a gaudy or alien feature, especially at night given the surrounding night-time uses. The wall on which the advertisement is proposed is relatively bare and forms a prominent feature which adds little to the character and appearance of the area. I consider that the proposal would add some colour and interest to this side of the building, resulting in a softer edge to the pedestrian area. Moreover, given its size and close proximity to the bus stops it would be read in relation to these and would be in keeping with the scale of advertising in the surrounding area.
8. Whilst the proposal is at the entrance to the SCA from Station Road, given the above I find that it would not be an incongruous or harmful feature. I recognise that advertisements on the side elevations of buildings are not common in the SCA, but consider that the evidence supports this specific advertisement on this building in this particular location. As such there would be no harm to the setting of the conservation area or views in to, and out of, it.
9. The Grade II Listed St Augustine Church on the opposite side of the road is set back from the highway by a landscaped area which creates a sense of visual separation from Station Road. As a result of this, and the distance between the appeal site and church, I find that the proposal would not harm the setting of the listed building.
10. In conclusion I find that the proposal would not be harmful to the visual amenity of the street scene and would preserve the heritage assets including the SCA. The proposal would therefore comply with Policies P15 and P16 of the Solihull Local Plan which collectively seek development to be of a high quality and to preserve or enhance heritage assets. The proposal would also comply with the design requirements of Paragraphs 127 and 132 of the Framework.

Conclusion and Recommendation

11. For the reasons given above I recommend that the appeal should be allowed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed.

Mike Worden

INSPECTOR